

References and Resources

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References and Resources

9-01 GENERAL

The most important resource available to the probation officer is the ability to network or communicate with others who work in the criminal justice system or a related field. Networking is a vital part of any agency or organization; a tool for obtaining information outside of the more formal means of communication. There are several ways to network effectively. The most common is through daily contacts with local agencies and other probation officers. These contacts can be expanded by attending various agency, association, or organization meetings and conferences. Although the probation officer is often too busy to become involved in many external functions, efforts should be made to contact one another as a resource. Collectively, probation officers possess a wealth of information which covers the range of this manual and beyond.

9-02 LEGAL REFERENCES

A. Michigan Court Rules

The Michigan Court Rules govern practice and procedure in all courts established by the constitution and laws of the State of Michigan. These rules are the "Michigan Rules of Court - State." An individual rule may be referred to as Michigan Court Rule ____, and cited by the acronym "MCR". The rules are to be construed to secure the just, speedy, and economical determination of every action and to avoid the consequences of error that does not affect the substantial rights of the parties.

The Michigan Court Rules are published by West Publishing Company, Darby, and Institute for Continuing Legal Education. Annotated Court Rules, which analyze and apply the court rules to specific cases, are also published by West Publishing Company and are entitled "Michigan Court Rules Practice".

The Michigan Court Rules are also available on the Michigan Supreme Court website at <http://courts.mi.gov/supremecourt/Resources/mcr/index.htm>.

B. Michigan Statutes

1. Michigan Compiled Laws and Michigan Compiled Laws Annotated

The Michigan Legislative Council, composed of Michigan legislators, as directed by the Constitution of the State of Michigan, caused to be compiled, without alteration, all laws of a general and permanent nature in force in Michigan and enacted through Regular Sessions of the Michigan Legislature. The official Michigan Compiled Laws are published by the Legislative Service Bureau in Lansing, Michigan in the form of Public Acts and can be accessed on their website at <http://www.michiganlegislature.org/>. The Michigan Compiled Laws Annotated are published by West Publishing Company. Publications are supplemented yearly and advance sheets are published throughout the year as laws are passed. Editorial features and research aids incorporated into Michigan Compiled Laws Annotated (MCL) include the following:

- a. Analysis of each chapter.
- b. History notes to each section of the MCL, reflecting all amendments to that section since its enactment and the effective dates of those amendments.
- c. Notes containing opinions of the Michigan Supreme Court and the United State Supreme Court regarding the constitutionality of acts or parts of acts.
- d. Notes designating those statutes which transfer powers and duties from one state agency to another.

- e. Notes indicating the origin and disposition of prior statutory provisions which carried the same compilation numbers, and accounting for similar provisions which being obsolete, superseded, or repealed by implication, no longer appear in the MCL.

B. Case Law

The following references can be used to research case law:

1. Michigan Appeals Court Reports

These reports are the cases heard by the Michigan Court of Appeals. They are published by Lawyers Cooperative Publishing. They contain an alphabetical table of cases cited. Advance sheets are published periodically throughout the year. Laws are also searchable on the Court of Appeals website at <http://courtofappeals.mijud.net/opinions.htm>.

2. Michigan Reports

These reports are the cases heard by the Michigan Supreme Court. They are published by Lawyers Cooperative Publishing. Advance sheets are published periodically throughout the year.

3. Michigan Digest

Available from Lawyers Cooperative Publishing as "Callaghan's Michigan Digest" and West Publishing Company as "West's Michigan Digest". They are supplemented annually and advance sheets are published periodically throughout the year.

4. Reports of Supreme Court Decisions

These reports contain the cases heard by the United States Supreme Court. They are published by West Publishing Company as the "Supreme Court Reporter" and Lawyers Cooperative Publishing as the "United State Supreme Court Reports, Lawyers Edition". Advance sheets are published periodically throughout the year.

For more details on research materials, see the Michigan Court Administration Reference Guide, Volume 2, Section 10, "Minimum Standards for County Law Library."

9-03 STATE AGENCIES

A. Department of Corrections, Policy Directives and Procedures

While the Policy Directives and Procedures of the Department of Corrections are aimed at parole officers, the circuit court probation officers, and the community residential programs the district court probation department may find the information helpful in developing internal policies and procedures. On an individual level, the procedures themselves may provide direction or explanation to the probation officer in a variety of related areas. Copies of the policies and procedures can be requested from:

Department of Corrections
Office of Policy and Hearings
Policy and Rule Unit - Development Unit
Grandview Plaza Building - Fourth Floor
PO Box 30003
Lansing, MI 48909
(517) 373-3366

B. Department of Community Health, Crime Victims Services Commission

The Department of Community Health, Crime Victims Services Commission maintains and awards funds as directed by the Crime Victim's Rights Act (formerly managed by the Office of Criminal Justice and the Office of Contract Management, Grants Management Division). This office is also involved in issuing restitution and coordinating compensation awards. They can be contacted at:

Department of Community Health
Crime Victim Services Commission
Crime Victim Rights Assessments
320 S. Walnut Street
Lansing, Michigan 48913
(517) 373-0594
(517) 373-3640

C. Office of Highway Safety Planning (OHSP)

The National Highway Safety Act of 1966 charges each state with establishing a highway safety program. State programs are designed to reduce death, injury, and property damage caused by traffic crashes. In the State of Michigan, the Office of Highway Safety Planning (OHSP) is responsible for that program.

The funding for these programs comes from the United States Department of Transportation through National Highway Safety Administration as well as the Federal Highway Administration. The funding to OHSP is distributed at the state level in the form of grants for programs and activities that ensure the safe use of Michigan roads.

OHSP has provided grants for projects in alcohol counter measures (stopping drunk driving) and enhancing the enforcement of traffic safety laws statewide. Some of the programs provided by Michigan Judicial Institute have been funded by the grants available through OHSP if they address issues relating to highway safety. OHSP has funded an intensive probation project in Michigan as an alcohol counter measure. Special projects have been funded to enhance the efficiency and effectiveness of the district court personnel in dealing with traffic cases. The Office also produces public information materials to increase awareness of safety issues on Michigan roads. Another project area that benefits the district court and local law enforcement efforts is the testing of new technology and funding the installation of that technology in sites around the state.

A brochure describing the services provided by OHSP in more detail is available. They can be contacted at:

Office of Highway Safety Planning
4000 Collins Road
PO Box 30633
Lansing, MI 48909-8133
(517) 336-6477

D. Center for Substance Abuse Services (CSAS)

The Center for Substance Abuse Services is the state level substance abuse authority. CSAS is responsible for administering all state and federal funds allocated to it for substance abuse prevention and treatment. CSAS employs a sub-state structure to accomplish this task, contracting with 18 local coordinating agencies for the delivery of services in their respective areas. CSAS also monitors the licensing requirements for courts who are designated screening and assessment agencies. Courts or probation departments seeking designation may contact CSAS at:

Michigan Department of Community Health
Center for Substance Abuse Services
Lewis Cass Building
320 S. Walnut
Lansing, MI 48913
(517) 335-0278

E. Michigan Substance Abuse and Traffic Safety Information Center (MSATSIC)

One important source for the probation officer is the Michigan Substance Abuse and Traffic Safety Information Center. The center provides information on the bulk of the cases the probation officer will handle. It is an information center offering prevention education publications and videos at a low cost or free of charge. The center is operated by the Traffic Safety Association of Michigan under a contract from the Michigan Department of Public Health/Center for Substance Abuse Services. Additional funding and materials are provided by the Michigan Office of Highway Safety Planning.

Below are the primary services available:

1. Publications

A publication catalog is available on a quarterly basis with over 200 titles pertaining to a number of topics including alcohol education, alcoholism, drugs and driving, drug education, resource manuals, etc. One publication which is a valuable tool for the probation officer is the Michigan Substance Abuse Directory of Programs; it is published annually.

2. Videos

Videos are available through an extensive free loan Video Library. The video catalog lists more than 200 prevention education videos on programs such as children of alcoholics, addiction and the family, alcohol recovery information, occupant protection and traffic safety, etc. Videos may be requested or reserved by **mail** only. Two weeks notices should be allowed. In order to use the Video Library, you must have a current application on file.

3. Resource Library

The Resource Library contains research journals from NIDA, NIAAA, OSAP, and other resource information for the National Clearinghouse on Alcohol and Drug Information. These journals are available on a loan basis. Contact the center for a listing of the information available.

4. RADAR Network

The Information Center is the designated RADAR (Regional Alcohol and Drug Awareness Resource Network) center for Michigan. The RADAR Network is sponsored by the Center for Substance Abuse Prevention and the National Clearinghouse for Alcohol and Drug Information (NCADI). It includes all state clearinghouses, prevention resource centers, information centers of national organizations, and the Department of Education regional centers.

As the State RADAR Center, the Information Center receives from NCADI all national prevention education campaign materials, bulk quantities of print materials, resource lists of up-to-date research findings, and video tapes. In addition the Center is linked by computer to all RADAR network centers and NCADI through the PREVline Communication System. The PREVline allows RADAR members to share the latest information about alcohol and other drugs.

Requests for information should be made to:

Michigan Resource Center
111 W. Edgewood Blvd.
Suite 11
Lansing, MI 48911
(517) 882-9955
FAX (517) 882-7778

F. Michigan State Police - LEIN Field Services

For information pertaining to background screening of probation officers using fingerprint identification for authorization to use LEIN or for information about Sex Offender Registration, the probation officer may contact LEIN Field Services at:

Michigan State Police
LEIN Field Services
(517) 336-6167

9-04 SUPREME COURT ASSISTANCE, TRAINING, AND EDUCATION

A. State Court Administrative Office

The State Court Administrative Office (SCAO) is responsible for assisting in the administration of the Michigan trial courts under the general direction of the Supreme Court. The functions of the SCAO are outlined in Michigan Court Rule 8.103. Those functions directly related to assistance, training, and education for trial courts are:

1. Providing management assistance and direction to the courts on the administration of the court through distribution of relevant information, advice and direction on specific issues, and on-site management reviews,
2. Developing and analyzing statewide information regarding the work of the courts.
3. Conducting research on court management issues.
4. Acting as liaison between courts, media, the executive and legislative branches of government, and state agencies.
5. Developing guidelines for operations and certain decision making functions such as child support guidelines and sentencing guidelines.
6. Developing and maintaining automated trial court information systems.
7. Operating court improvement programs and other special state level court related programs.
8. Analyzing administrative impact of court rules, legislation, and other administrative policy on court operations.
9. In conjunction with the Michigan Judicial Institute, providing training on court administration to judges and court support staff.
10. Developing forms and operations/reference manuals for court use.
11. Administering the certification of court reporters and recorders.
12. Managing the Foster Care Review Boards.
13. Managing the Friend of the Court Bureau.

For details see the Michigan Court Administration Reference Guide, Volume 1, Section 3 at <http://www.courts.michigan.gov/scao/resources/publications/manuals/carg.htm>.

The SCAO has a central office and four regional offices located throughout Michigan. The regional offices work directly with the courts in their region on a variety of local issues.

SCAO offices are located at:

State Court Administrative Office (Lansing)
Hall of Justice
PO Box 30048
Lansing, MI 48909
(517) 373-0130

Region I (Detroit)
PO Box 02984
Suite 1600
Detroit, MI 48226
(313) 256-9124

Region II (Lansing)
Hall of Justice
PO Box 30048
Lansing, MI 48909
(517) 373-9353

Region III (Mt. Pleasant)
Box 750
Mt. Pleasant, MI 48858
(517) 772-5934

Region IV (Gaylord)
PO Box 100
Gaylord, MI 49735
(517) 732-3311

B. Michigan Judicial Institute

The Michigan Judicial Institute (MJi) was created by the Michigan Supreme Court in 1977 to provide judges and court personnel with an opportunity to develop and enhance their professional skills. MJi develops and conducts a wide range of continuing education and training programs in the following areas: judicial education, court administrative personnel development, court professional personnel development, and Michigan court support staff training. They produce three publications (IMPACT, Colleague, and Trial Court Benchbooks) to keep judges informed of the latest development in Michigan law and procedure and also maintains an audio visual lending library which supplements their seminars. For further information contact:

Michigan Judicial Institute
Hall of Justice
PO Box 30205
Lansing, MI 48909
(517) 334-7805

9-05 ASSOCIATIONS

A. State Bar of Michigan

The State Bar of Michigan publishes an annual Michigan Bar Journal which is a directory of Michigan Bar functions, Michigan courts, federal courts and agencies, Michigan government, and members of the State Bar (including attorney addresses). Subscriptions to the monthly Bar Journal are also available. These monthly publications feature: 1) analyses of legal issues, statutes, and court rules; 2) federal and Michigan case opinions; and 3) notices and articles on a variety of topics. Requests for information can be made to:

The State Bar of Michigan
306 Townsend Street
Lansing, MI 48933-2083
(517) 372-9030 FAX (517) 482-6248

B. American Bar Association

The American Bar Association (ABA) produces publications similar to those of the Michigan Bar. An ABA Directory of Publications is available at a minimal cost by contacting:

American Bar Association
750 N. Lake Shore Drive
Chicago, IL 60611
(312) 988-5000 FAX (312) 988-6281, -6282, or -6283

C. Michigan Association of District Court Probation Officers

The Michigan Association of District Court Probation Officers (MADCPO) is an organization founded in 1970 which provides its membership a directory of Michigan district court probation departments, quarterly newsletters, and an annual conference. For more details, see Section 1-05.

D. Michigan Corrections Association

The Michigan Corrections Association (MCA) is an organization aimed at promoting professionalism in the field of corrections. The primary focus of the association is on:

1. promoting interchange of ideas and experience at all levels concerning functions and methods in the field of probation, parole, and correctional institutions;
2. preventing and correcting delinquency and crime throughout Michigan;
3. providing adequate information to the public;

4. fostering sound legislation; and
5. promoting adequate services and facilities in the correctional field.

The MCA holds one to three mini-conferences each year and one annual conference in October of each year. They are a dual-membership with the American Correctional Association. Further membership information may be obtained from an MCA member or other professionals in the corrections field. Requests for information should be made to the American Correctional Association (see below).

E. American Correctional Association

The American Correctional Association (ACA) is a national multi-disciplinary organization consisting of correctional professionals and individuals, agencies, and organizations involved in the entire spectrum of correctional activities. ACA offers a variety of services for correction professionals such as standards and accreditation, technical assistance, publications, and training. Further information is available from the:

American Correctional Association
8025 Laurel Lakes Court
Laurel, MD 20707-5075
(301) 206-5100

For membership information write address your request to the attention of "Membership". Calls can be made to (800) ACA-JOIN.